

APPROVED MINUTES JUNE 28, 2006
CITY OF GUNNISON
PLANNING & ZONING COMMISSION
REGULAR MEETING
Rev 7/6/06

MEMBERS	PRESENT	ABSENT	EXCUSED
DIANE LOTHAMER, CHAIR	X		
HARVEY HARRIMAN – VICE CHAIR	X		
JIM SEITZ	X		
BOB BEDA	X		
JONATHAN HOUCK			X
ALAN PALLAORO	X		
COUNCILMEMBER ELLEN HARRIMAN	X		

OTHERS PRESENT: DIRECTOR STEVE WESTBAY, PLANNER KIM ANTONUCCI, PLANNING TECHNICIAN ANDIE RUGGERA, PAULA SWENSON, JOHN TARR, HEIDI FINN, HAP CHANNELL, AND JOHN DEVORE.

CALL TO ORDER AT 7:00PM BY CHAIR LOTHAMER

PLEDGE OF ALLEGIANCE TO THE FLAG

CONSIDERATION OF JUNE 14, 2006 MEETING MINUTES

Commissioner Jim Seitz moved to approve the meeting minutes of June 14, 2006 as amended. Commissioner Harvey Harriman seconded the motion.

Roll Call Yes: Bob, Diane, Alan, Ellen, Harvey, and Jim

Roll Call No: None

Motion Carried

PUBLIC HEARING AND ACTION

CU 06-4, REQUEST FOR EXTENSION OF CONDITIONAL USE FOR SAGE MOUNTAIN SCHOOL, 123 NORTH BOULEVARD STREET

Chair Diane Lothamer opened the public hearing at approximately 7:05p.m.

Proof of publication was shown for the record.

Planner Kim Antonucci reviewed the application stating the request is for an extension of the conditional use permit that was granted on August 3, 2005. The applicants are also requesting the maximum number of students be increased from 20 to 30.

Heidi Finn, Executive Director of the Sage Mountain School, stated the school has been located at the temporary location for one year and has had a positive relationship with

the neighborhood. Ms. Finn stated signs have been placed for pedestrian crossings and there have not been any issues regarding the school since it opened. Ms. Finn stated they are in the process of renewing the lease on the building for one year.

No public comment was received on this application.

The Commission discussed the findings and conditions for the extension of the conditional use.

Commissioner Harvey Harriman moved to approve the extension for Conditional Use application CU 06-4 until August 15, 2007 with the following findings and conditions:
FINDINGS OF FACT:

1. The Planning and Zoning Commission finds that the record of this action includes the application contents on file with the City of Gunnison; all comments entered into the Public Hearing record; provisions of the *City of Gunnison Land Development Code, Update to the Transportation Element of the City Master Plan* (April 2000); and the *City of Gunnison Master Plan Volumes I and II* (1994).
2. The Planning and Zoning Commission finds that the application requests the extension of a temporary school in the Professional Business (B1) zone and enrollment will not exceed 30 students.
3. The Planning and Zoning Commission finds that surrounding property is a mixture of commercial and residential uses.
4. The Planning and Zoning Commission finds that one merchant with a liquor license is within 500 feet of the school and this license will not be affected by the proposed use. The Planning and Zoning Commission further finds that additional liquor licenses may not be approved within 500 feet of the school site.
5. The Planning and Zoning Commission finds that public facilities and occupancy loads are determined by the 2003 International Building Code, and the applicant will need to adhere to these codes.
6. The Planning and Zoning Commission finds that there was not any public comment received at the public hearing.
7. The Planning and Zoning Commission finds that all provisions of the LDC have been or will be met based on the following conditions:

CONDITIONS

1. Occupancy loads shall conform with the 2003 International Building and Fire Codes.
2. This conditional use approval shall expire on August 15, 2007.
3. The Community Development Director may remand this application back to the Planning and Zoning Commission if impacts such as excessive noise, excessive street parking or other consequences from the school operation are found to be affecting neighbors or the community.

Commissioner Alan Pallaoro seconded the motion.

Roll Call Yes: Jim, Bob, Diane, Ellen, Alan, and Harvey

Roll Call No: None
Motion Carried

UNSCHEDULED CITIZENS

John Tarr asked to make a comment on the application for the rezoning of the Courthouse at 200 East Virginia. Mr. Tarr stated his business, Gunnison Valley Family Physicians, is adjacent to the Courthouse. He expressed a concern for parking areas if the proposed jail is built. Mr. Tarr stated he once missed delivering a baby by two minutes because he had to park so far away from his practice due to existing parking issues. Mr. Tarr stated he appreciates the Commissions consideration of his parking concern.

COUNCIL UPDATE

Councilmember Ellen Harriman stated the Council heard a presentation from Margaret Whacker for the Clean Indoor Air Act, and Sue Uerling introduced herself as the Gunnison Arts Center Director. The Council approved the minor subdivision for Caroline Smith, had the first reading of the vacation ordinance for the rodeo grounds, and awarded a contract for the West Gunnison Neighborhood Planning Project.

COMMISSIONER COMMENTS

Commissioner Harvey Harriman moved to excuse Commissioner Jonathan Houck from the regular meeting of June 14, 2006 due to a personal prior commitment.
Commissioner Jim Seitz seconded the motion.

Roll Call Yes: Bob, Diane, Alan, Ellen, Jim, and Harvey

Roll Call No: None

Motion Carried

PUBLIC HEARING AND RECOMMENDATION

ZA 06-2, ZONING AMENDMENT SUBMITTED BY GUNNISON COUNTY TO REQUEST ZONING CHANGE FROM COMMERCIAL TO CENTRAL BUSINESS DISTRICT, 200 EAST VIRGINIA AVENUE (COURTHOUSE)

Chair Diane Lothamer opened the public hearing at approximately 7:40p.m.

Proof of publication was shown for the record.

Director Steve Westbay reviewed the application and discussed possible development standards if the zoning amendment is approved. Steve also discussed parking requirements for the land use types located in the CBD area north of Tomichi Avenue. He stated the County had two options of either pursuing a variance for parking or to rezone the courthouse. The County felt more comfortable requesting to rezone and creating an Intergovernmental Agreement (IGA) to address entitlement issues.

John DeVore was present to represent Gunnison County. Mr. DeVore read a letter that was entered into the record which lists four elements of an IGA in relation to the rezoning request. A site plan was also entered into the record that showed the proposed jail and a new parking lot.

The following public comment was received:

It was noted for the record that John Tarr expressed a concern for current parking issues and that there be no net loss of parking if the rezoning is approved. Mr. Tarr expressed his concern during unscheduled citizens.

Hap Channell – 601 North Wisconsin Street – County Commissioner

Mr. Channell stated there is a need for a parking task force group and that the County would be happy to participate with such a study.

The Commission discussed the findings for recommending approval and landscaping. County Commissioner Hap Channell stated the County would add a fifth element to the IGA to include a guarantee of landscaping.

Chair Lothamer closed the public hearing at approximately 8:25p.m. and stated that Councilmember Ellen Harriman will not vote as she will vote at the Council level.

Commissioner Harvey Harriman moved to recommend approval to City Council of application ZA 06-2 for a zoning amendment at 200 East Virginia Avenue with the following findings:

FINDINGS

1. The Planning and Zoning Commission finds that the record of this action includes the application contents on file with the City of Gunnison; all comments entered into the Public Hearing record; provisions of the *City of Gunnison Land Development Code*, *Update to the Transportation Element of the City Master Plan* and the *City of Gunnison Master Plan Volumes I and II* (1994).
2. The Planning and Zoning Commission finds that the applicants have requested a Map Amendment to rezone the courthouse (200 E. Virginia Avenue) from a Commercial District designation to Central Business District designation.
3. The Planning and Zoning Commission finds that this zone change will eliminate the requirement for parking and landscaping, and an enormous building could be developed on the site (\pm 240,000 sf).
4. Under current zoning, an inadequate number of parking spaces exist at the courthouse, and the Planning and Zoning Commission finds that expansion of the existing facility cannot occur unless adequate parking is provided.
5. The CBD to the north of Tomichi Avenue has approximately 700 existing public parking spaces including both private and public spaces. Approximately 450 spaces are on-street parking. The Planning & Zoning Commission finds that 900

- to 1200 spaces should be available to serve the existing uses in this geographic area.
6. The Planning and Zoning Commission finds that the proposed CBD designation would entitle significant facility expansion that is out of character with the neighborhood, and it could be detrimental to the community.
 7. The Planning and Zoning Commission finds that the Board of County Commissioners and City Council met on February 22, 2006 (prior to this application submittal) and the idea of rezoning to CBD was discussed in conjunction with establishment of an IGA to address the property right entitlement problems created in conjunction with a CBD designation.
 8. The Planning and Zoning Commission finds that a mutually agreeable way of considering approval of this application would be in conjunction with an IGA limiting the future site development. At a minimum the IGA should provide the City with the authority to explicitly regulate the scope of any future development of the site based on parameters set forth in the IGA document. It should also address a recognized need for the county and city to work together in addressing future parking needs in the CBD. The IGA needs to be completed at the same time as the rezoning.
 9. The Planning and Zoning Commission finds that the City Council should consider a negotiated IGA that thoroughly addresses CBD entitlement issues, as outlined in the County's memorandum (John DeVore, dated June 28, 2006), including landscaping provisions amended at the Planning and Zoning Commission public hearing.

Commissioner Alan Pallaoro seconded the motion.

Roll Call Yes: Jim, Bob, Diane, Alan, and Harvey

Roll Call No: None

Motion Carried

ADJOURNED

Chair Diane Lothamer closed the meeting at approximately 8:30p.m.

Diane Lothamer, Chair

Attest:

Andie Ruggera, Secretary